

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18267

WATER DIVISION 2-A

Background

1. Surface water appropriation A-18267 is held by Butler County Landfill.
2. Appropriation A-18267 authorizes the use of water for fire suppression and dust control at the site of the Butler County Landfill. The water may be diverted from Bone Creek at a point of diversion located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 24, Township 15 North, Range 3 East of the 6<sup>th</sup> P.M. in Butler County. The rate that water may be diverted shall not exceed 0.46 cubic foot per second and a total annual volume of 2.30 acre-feet.
3. The approval of appropriation A-18267 was conditional upon the beneficial use of water by September 1, 2007.
4. Department personnel performed a field investigation and determined the water had not been put to beneficial use under appropriation A-18267 by September 1, 2007.
5. Nebraska revised statutes, section 46-229.02(7), provide for the cancellation of unused portions of surface water appropriations.

Order

IT IS HEREBY ORDERED appropriation A-18267 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 24 , 2008

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/S/  
Brian P. Dunnigan, P.E., Acting Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and field investigation report were mailed on November \_\_\_\_\_, 2008, to the following:

Butler County Landfill  
3588 R Road  
David City, Nebraska 68632